## REMARKS

Applicants respectfully request consideration of the subject application as amended

herein. This Amendment is submitted in response to the Office Action mailed July 6, 2005.

Claims 1-39 stand rejected. In this Amendment, Claims 1-4, 8-11, 15-16, 18, 23, 24, 27-28 and

33-37 have been amended. Applicants submit that no new matter has been added by this

Amendment.

### Rejections under 35 U.S.C. §112

Claims 1-39 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with

the written description requirement.

Applicants point the Examiner to MPEP § 2163.02 which provides:

> ...the fundamental factual inquiry is whether the specification
> conveys with reasonable clarity to those skilled in the art that, as of
> the filing date sought, applicant was in possession of the invention
> as now claimed. See, e.g., Vas-Cath, Inc. v. Mahurkar, 935 F.2d
> 1555, 1563-64, 19 USPQ2d 1111, 1117 (Fed. Cir. 1991). An
> applicant shows possession of the claimed invention by describing
> the claimed invention with all of its limitations using such
> descriptive means as words, structures, figures, diagrams, and
> formulas that fully set forth the claimed invention. Lockwood v.
> American Airlines, Inc., 107 F.3d 1565, 1572, 41 USPQ2d 1961,
> 1966 (Fed. Cir. 1997)...
>
> The subject matter of the claim need not be described literally (i.e.,
> using the same terms or *in haec verba*) in order for the disclosure
> to satisfy the description requirement...

Applicants respectfully submit that support for all of the limitations is found in the

specification, even though certain limitations may not be described *in haec verba*.

As described in the specification, the customizable class rules are defined during the

modeling session for the configurator. See, for example, paragraph [0030]. As explained at

paragraph [001560], during the runtime session for the configurator, the customizable class rules

are triggered when the customer creates their customizable product object. Thus, the

customizable class rules are necessarily predetermined when the customer is customizing the

product with the configurator.

Accordingly, Applicants respectfully request withdrawal of the rejection under 35 U.S.C.

§112, first paragraph.


## Rejections under 35 U.S.C. §103(a)

Claims 1-39 are rejected under 35 U.S.C. §103(a) as being unpatentable over Java 2,

("Java 2: The Complete Reference," hereinafter "Java") in view of U.S. Patent No. 6,167,383 to

Henson (hereinafter, "Henson").

Independent claim 1 currently recites: (emphasis added)

> A computer implemented method of customizing a product
> comprising:
>
> providing a set of one or more customizable product classes;
>
> receiving a request to designate a customizable product class from
> the set of one or more customizable product classes as a
> customizable product instance;
>
> presenting a customizable product class from the set of one or
> more customizable product classes as the customizable product
> instance;
>
> providing a set of one or more component products, the set of one
> or more component products associated with the customizable
> product instance;
>
> receiving a request to associate a first component product from the
> set of one or more component products with the customizable
> product instance; and
>
> determining whether to associate the first component product from
> the set of one or more component products with the customizable
> product instance based on a predetermined set of customizable
> class rules, the customizable class rules associated with the
> customizable product instance.

Similar limitations are included in independent claims 8, 15, 24 and 33.

Applicant submits that Java and Henson do not teach, suggest, or even motivate the limitation "determining whether to associate the first component product from the set of one or more component products with the customizable product instance based on a predetermined set of customizable class rules, the customizable class rules associated with the customizable product instance." Java is directed to a reference describing defining classes, declaring objects and explaining inheritance. In essence, Java merely discloses object-oriented programming.

Java does not describe how the classes or object-oriented programming can be used to customize a product.

Henson is directed to a method and apparatus for providing customer configured machines at an Internet site. Henson includes a validation module which provides validation of some form with respect to the customer build configuration. Henson contemplates two types of validation: active and passive. With active validation, the system actively cross-checks the options of a configuration, and provides warnings or limits options that can be selected.

Henson, however, is not an object-oriented system. In particular, Henson does not disclose customizable class rules or that customizable class rules are associated with a customizable product instance.

In contrast, embodiments of the presently claimed invention are directed to customization of a product, wherein components are associated with a product based on customizable rules that are associated with the product.

Henson does not teach or suggest a combination with Java and Java does not teach or suggest a combination with Henson. In addition, Applicant respectfully submits it would be impermissible hindsight, based on Applicant's own disclosure, to combine Java and Henson to arrive at the presently claimed invention.

As described in the present specification, at the time of the invention, customers desiring to purchase a customizable product online did not have the help of an expert sales professional to guide them through their online purchase. In the prior art solutions, this was solved by providing pre-defined bags or packages that the users could select. In addition, these prior art solutions were not object-oriented systems – a software engineer was required to update changes to components and/or configuration rules, which resulted in time delays.

Embodiments of the presently claimed invention solve this problem by organizing data into an object oriented hierarchy. In addition, customizable rules are associated with the customizable product and component product classes to allow more customization by a user.

As noted in the specification, at paragraph [0061], it is through the customizable class rules that the configuration expert (i.e., sales person) helps guide the consumer to choose the appropriate product(s) for their needs. The customizable class rules define conditions and trigger actions between the component products that ensure the consumers purchase the optimal solution that meets their needs. The component product classes are the component products that can be associated with a customizable product class. Therefore, it is the customizable class rules and component product classes that make the product customizable.

The customizable class rules may be defined to require or exclude the selection of one or more component products upon the selection of a specific component product, or the customizable class rule may trigger the prompting of recommendations messages when a particular component product is selected. That is, certain components may be automatically added or excluded based on the customizable rules.

Since the class rules are customizable, sales people can easily modify the rules to provide an efficient and up-to-date configurator. As described in paragraphs [0061] – [0073], a configuration expert (e.g., online salesperson), as opposed to a software engineer, is able to

define the customizable class rules for each product class. Since the configuration expert is able to define the class rules, the system is updated without the significant lag-time problems of the prior art systems.

As described in paragraph [0030], all of the associated component products and customizable class rules are designed to become subclasses to the customizable product class. The classification scheme depends on the product line, the business, process and the marking and selling to be customized. The customizable product classes allow the configurator modeler to define which attributes are maintained by a component product class, and is able to propagate those attributes to the component product classes, and maintain those attributes in a consistent fashion.

Sales professionals are able to provide enhanced online sales using this object oriented class hierarchy via the customizable class rules. The expert logic, provided by the class rules, allows the consumer to purchase an optimal customizable product, according to their specific needs and budget, as if a sales professional was present to guide the consumer.

Neither Java nor Henson identify the problem to be solved by embodiments of the present invention, nor do they explicitly disclose a motivation for a combination.

Therefore, neither Java, Henson, nor the combination thereof disclose or suggest the claimed limitations of independent claim 1, 8, 15, 24 and 33. Claims 2-7, 9-14, 26-23, 25-32 and 34-39 depend, directly or indirectly, from one of the foregoing independent claims. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 1-39 under 35 U.S.C. § 103(a). Applicants submit that all pending claims are in condition for allowance.

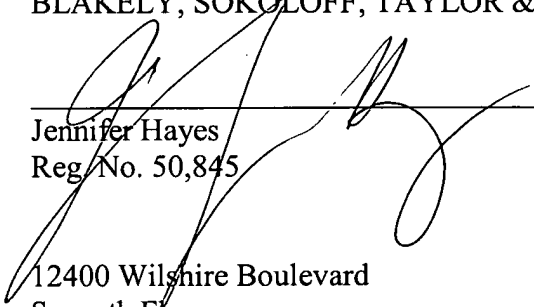## Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Jennifer Hayes at (408) 720-8300.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

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